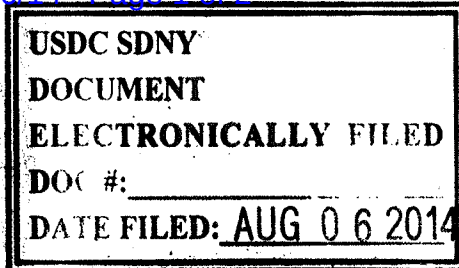


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



Church & Dwight Co. Inc.,

Plaintiff,

—v—

SPD Swiss Precision Diagnostics, GmbH,

Defendant.

14-cv-585

ORDER

ALISON J. NATHAN, District Judge:

The Court has received a letter from Plaintiff Church & Dwight Co., Inc. raising a number of discovery disputes and requesting, *inter alia*, a case management conference to address Church & Dwight's request for a modification of the current schedule, including an adjournment of the trial date. Dkt. No. 120. In response, Defendant SPD Swiss Precision Diagnostics, GmbH opposes adjournment of the trial date, concedes a number of points raised in Church & Dwight's letter, and raises a number of requests of its own. Dkt. No. 122.

The Court first notes that based on the number of concessions SPD was willing to make in its reply letter, it appears that the meet-and-confer process required by this Court's Individual Practices in Civil Cases was not allowed to run its full course before Church & Dwight filed its letter with the Court. The Court admonishes the parties to make a more diligent effort to resolve their disputes amicably before bringing them to the Court's attention as required by the Court's Individual Practices.

Based on the representations made in the parties' letters, particularly the concessions SPD made in its response letter, the Court hereby orders as follows:

First, SPD has voluntarily agreed to Church & Dwight's request to complete its document production by August 8, 2014. Dkt. No. 122 at 3. For the avoidance of doubt, the Court hereby orders SPD to complete its document production by that date.

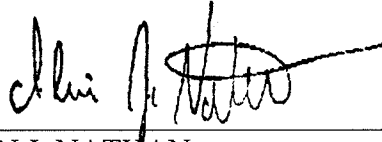
Second, Church & Dwight requested the Court to direct SPD to produce Mr. Daly for deposition the week of August 18, 2014 rather than SPD's originally proposed date of September 8, 2014. SPD responded that Mr. Daly has a busy work calendar and a number of previously scheduled family vacations that prevent his availability, but that they would be willing to make him available on August 15, 2014. Dkt. No. 122 at 3. Thus, the Court hereby orders SPD to make Mr. Daly available for a deposition on August 15, 2014.

Third, SPD requested that Church & Dwight be ordered to (a) identify immediately all UK-based witnesses it wishes to depose; (b) take all such depositions in London; and (c) commit to take Mr. Gittins's deposition on the date SPD proposed, September 5, 2014. The Court hereby orders Church & Dwight to identify the names of all UK-based witnesses it wishes to depose no later than August 8, 2014; take all such depositions in London, England; and commit to take the deposition of Mr. Gittins on September 5, 2014, the original cut-off date for the close of fact discovery.

Fourth, the Court grants Church & Dwight's request for a conference to discuss scheduling issues. The parties are hereby ordered to appear before this Court on Tuesday, August 12, 2014 at 10:00 a.m. for a status and scheduling conference. The Court will reserve judgment on the remaining issues discussed in the parties' letter, including the proposed extensions to the close of fact and expert discovery and adjournment of the trial, until the August 12 conference.

SO ORDERED.

Dated: August 6, 2014
New York, New York


ALISON J. NATHAN
United States District Judge